HLS 13RS-380 ORIGINAL

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 54

BY REPRESENTATIVE BARROW

CONGRESS: Memorializes the United States Congress to pass the ABLE Act

1	A CONCURRENT RESOLUTION
2	To memorialize the United States Congress to take such actions as are necessary to pass the
3	ABLE Act.
4	WHEREAS, the Achieving a Better Life Experience Act, also known as the ABLE
5	Act, has been introduced as S. 313 and H.R. 647 in the One Hundred Thirteenth United
6	States Congress; and
7	WHEREAS, the ABLE Act would create tax-advantaged savings accounts known
8	as "ABLE accounts" for persons with disabilities and provide that funds may be withdrawn
9	from such accounts to cover costs of health care, employment support, housing,
10	transportation, assistive technology, and lifelong education for those persons; and
11	WHEREAS, ABLE accounts would be subject to the same tax treatment as the
12	popular education savings accounts commonly called "529 plans", as they would be created
13	in the same section (Section 529) of the Internal Revenue Code; and
14	WHEREAS, the ABLE Act would create a powerful incentive for individuals and
15	families to save private funds for the purpose of supporting persons with disabilities in
16	maintaining health, independence, and quality of life; and
17	WHEREAS, a vital component of the ABLE Act is a provision which stipulates that
18	funds held in an ABLE account do not count toward any maximum limit on a person's assets
19	upon which eligibility for a means-tested federal program may be contingent; and
20	WHEREAS, savings in an ABLE account would thereby not jeopardize a person's
21	eligibility for programs such as Medicaid and the Supplemental Nutrition Assistance

1 Program (formerly known as food stamps), the asset limits of which currently force low-2 income persons into the difficult decision of whether to spend what resources they may have 3 down to two thousand dollars in most cases in order to become eligible for needed 4 assistance: and 5 WHEREAS, the ABLE Act includes a fiscal safeguard for states by providing that 6 if the ABLE account beneficiary dies or their disability ceases and assets remain in the 7 account, the assets will be distributed first to any state Medicaid plan that provided 8 assistance to the person; and 9 WHEREAS, as evidenced by the party affiliations of its seventy-eight original 10 cosponsors being almost perfectly balanced, the ABLE Act legislation enjoys broad 11 bipartisan support; and 12 WHEREAS, the ABLE Act embodies sound economic policy by encouraging 13 savings and asset building; and by providing that every citizen living with a disability has 14 the opportunity to attain independence and an improved quality of life, promotes important 15 values that our nation holds dear. 16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 17 memorialize the United States Congress to take such actions as are necessary to pass the 18 ABLE Act.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Barrow HCR No. 54

Memorializes congress to pass the ABLE Act.

19

20

21